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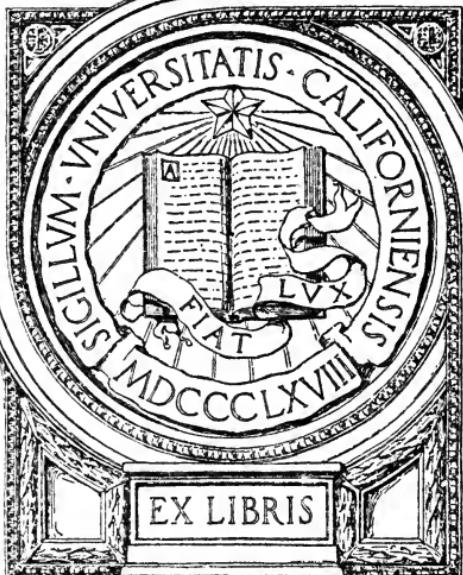
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M E M O I R  
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JAMES HILLHOUSE

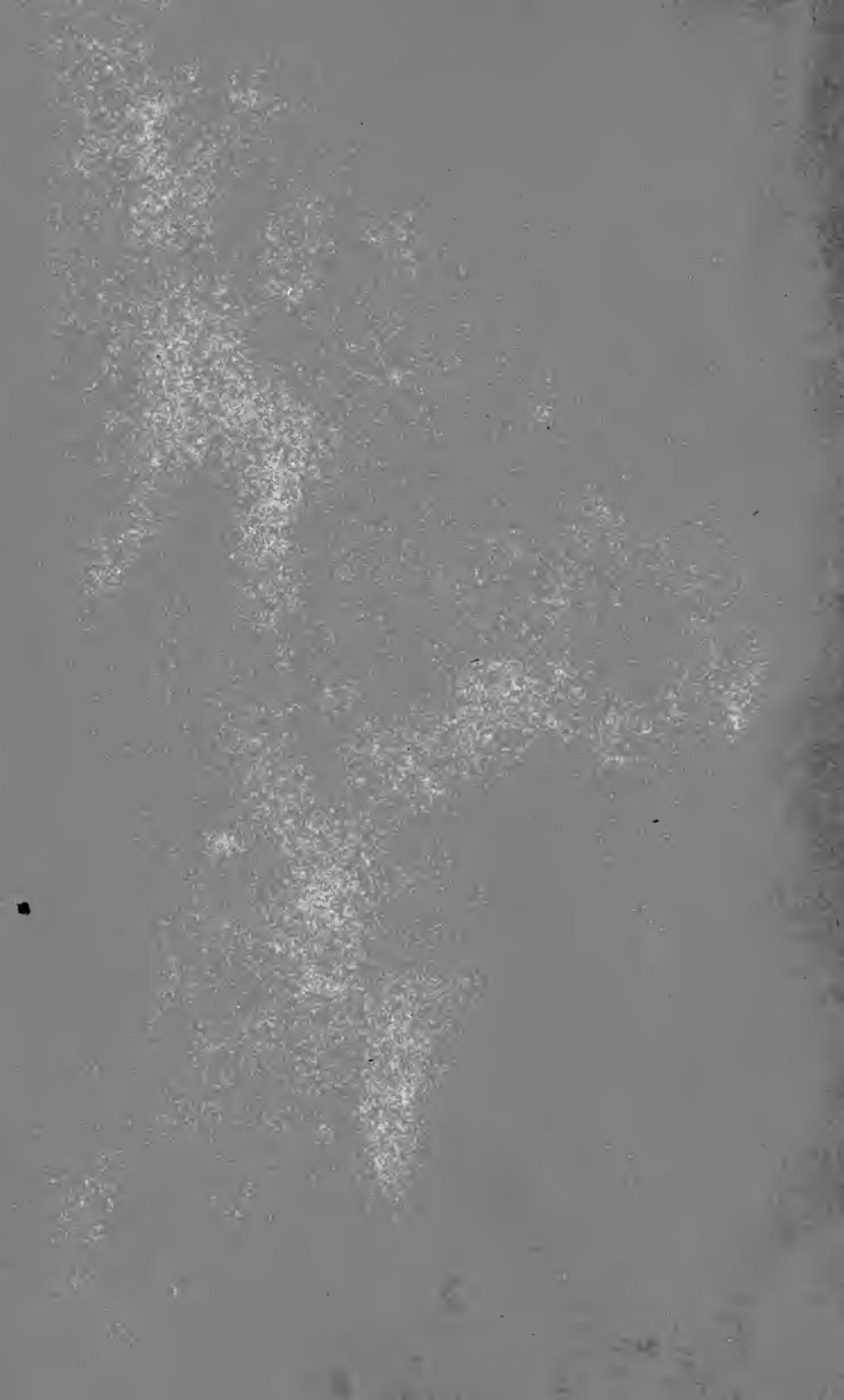
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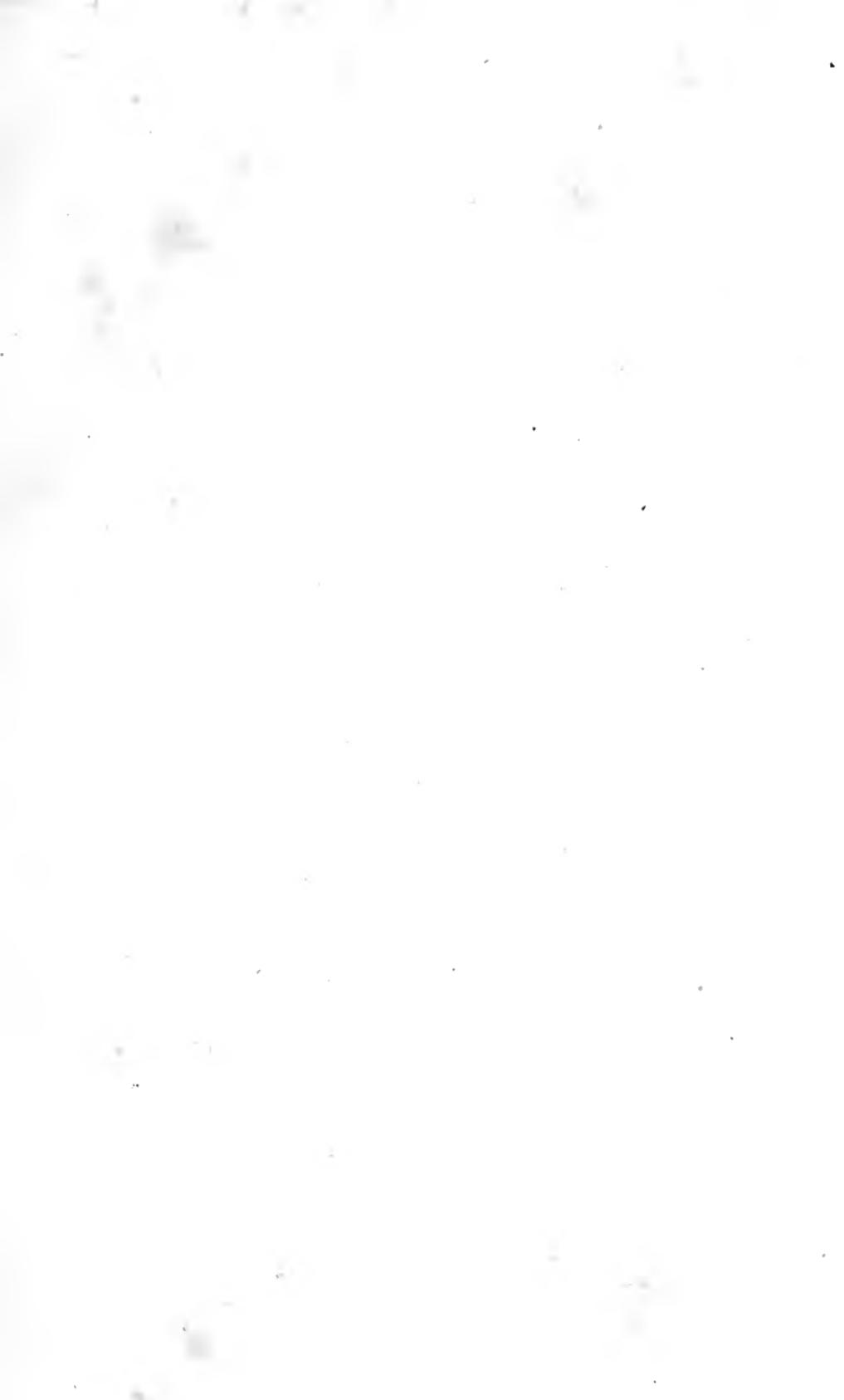












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James Hillhouse

S K E T C H

OF THE LIFE AND PUBLIC SERVICES

OF

**HON. JAMES HILLHOUSE**

OF NEW HAVEN.

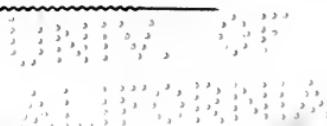
BY

REV. LEONARD BACON, D. D.

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(FROM BARNARD'S AMERICAN JOURNAL OF EDUCATION.)

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NEW HAVEN.

1860.

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“JAMES HILLHOUSE,  
THE STATESMAN, THE PATRIOT, THE CHRISTIAN,  
BORN OCT. 21, 1754,  
DIED DEC. 29, 1832.

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HE LIVES IN THE AFFECTIONS OF HIS COUNTRYMEN,  
AND HIS DEEDS ARE HIS MONUMENT.”



## JAMES HILLHOUSE.

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JAMES HILLHOUSE, the indefatigable "nursing father," and administrator of the School Fund of Connecticut, for fifty years treasurer of Yale College, and throughout a long and eventful life a beautiful example of the public spirited citizen in a republic, was born on the 20th of October, 1754, in Montville.

The name of HILLHOUSE is that of an ancient and honorable family in the North of Ireland. More than two hundred years ago, the family seats, with estates valued at more than two thousand pounds sterling yearly, were on the shores of Lough Foyle, near Londonderry ; and though the name has there become extinct, the ancient estates, particularly Artikelly and Free Hall, are still held by descendants of the family in the female line.

Early in the last century, the Rev. James Hillhouse came to New England. His father, John Hillhouse, of Free Hall, was the eldest son of Abraham Hillhouse, who resided at Artikelly.\* He "had his education, and commenced Master of Arts at the famous university of Glasgow, in Scotland ; and afterward read Divinity at the said college under the care of Mr. Simson, then professor of Divinity there." He was ordained by the Presbytery of Londonderry, in Ireland, and appears to have resided at or near the ancestral home till, by the death of his father in 1716, the estate descended to his elder brother Abraham. His mother died a few months later, in January, 1717. Not long after that date he came to seek a home on this side of the Atlantic. He is supposed to have come with those other Presbyterian emigrants from the North of Ireland, who, in 1719, established themselves in New Hampshire, where the towns of Derry and Londonderry, and the

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\* The name of Hillhouse is connected with the memorable defence of Derry against the forces of James II. James Hillhouse, a brother of John, was one of the commissioners to treat with Lord Mountjoy, and was Mayor of Londonderry in 1693. Abraham Hillhouse was among the signers of an address to King William and Queen Mary, on the occasion of the relief of the siege of Londonderry, dated 29th July, 1669.

Londonderry Presbytery, as well as many Scotch-Irish family names, are the permanent memorials of that migration. At the close of the year 1720, we find him in Boston committing to the press a "sermon" which he had composed, nearly four years before, on the occasion of his mother's death, but which does not purport to have been preached. This work (for though entitled a sermon, it is more properly a treatise in a volume of more than one hundred and forty pages,) was introduced to the reader in a preface from Increase and Cotton Mather, who speak of the author as "a valuable minister," and again as "a worthy, hopeful young minister" "lately arrived in America." He found employment in the newly instituted second parish of New London, in Connecticut, (now the town of Montville) and in 1722 was duly inducted into the office of pastor in the church there. At that place he died in 1740, aged 53.

The wife of the Rev. James Hillhouse was Mary, the daughter of Daniel Fitch, and was descended from ancestors eminent in the earliest history of Connecticut. Her paternal grandfather was the Rev. James Fitch, who came from England at the age of sixteen years, in 1638, and having received his education for the ministry under the teaching of Hooker and Stone, in the church at Hartford, was pastor of the church in Saybrook at its institution in 1646. Fourteen years afterward, he removed with the body of his people to begin the settlement of Norwich, where he served many years highly honored, not only by his own church, but in the colony at large. Her father's mother was Priscilla Mason, a daughter of Captain John Mason, the military chief of the colonists on the Connecticut, and the hero of the Pequot war in 1637, —a man distinguished by almost every trust which the young republic could bestow. That she was endowed by nature with superior mental gifts, and was a thoroughly educated woman, notwithstanding the limited advantages for female education in her day, is not a mere tradition, but is sufficiently attested by letters of hers which are still preserved among her descendants.

In the first generation of descendants from the pastor of Montville, the name of Hillhouse was borne only by his two sons, William, and James Abraham. The first was born in 1728. He lived and died on the paternal estate at Montville, greatly trusted and honored by his fellow citizens. When he was twenty-two years of age he married Sarah Griswold, who was a sister of the first Governor Griswold. At the age of twenty-seven he represented his native town of New London in the legislature of what

was then His Majesty's colony of Connecticut. He was continued in that trust by semi-annual elections, till, (in 1785) having become honorably known throughout the state, he was chosen an Assistant, or member of the Council, then commonly called "the Upper House."\* Thus he served in one hundred and six semi-annual legislatures. Meanwhile he was also for many years a judge of the County Court. Nor did his civil dignities and duties excuse him from military service. He was major in the second regiment of cavalry raised by Connecticut for service in the war of the revolution. At the age of eighty, in the full possession of his powers, he declined a reëlection to the Council, and withdrew from public life. Even to that advanced age his semi-annual journey to Hartford and New Haven was performed on horseback and in a single day, wheeled carriages being too new a fashion for a man like him. He was tall, spare, swarthy, with heavy overhanging eye-brows, quaint in speech, and remarkable for a primitive simplicity of manners, combined with an impressive dignity. He died at Montville in 1816, leaving a numerous posterity. Six of his seven sons, and two of his three daughters lived to maturity, and most of them to old age.

His brother, James Abraham Hillhouse, was born in 1730, was educated at Yale College, where he graduated in 1749, and was appointed tutor one year afterwards. A colleague and intimate friend of Ezra Stiles (afterwards President Stiles) he devoted himself, with that enthusiastic scholar, to legal studies; and when, after six years of service, he relinquished his academic employment, he established himself at New Haven in the profession of law. He was soon distinguished at the bar by his forensic abilities as well as by his learning. He was eminent among his fellow citizens, and was honored by their confidence. In 1772 he was elected one of the twelve "Assistants" who with the Governor and Lieutenant-Governor, were the Council or senate; for, characterized as he was by the combination of undoubted patriotism with moderation and political wisdom, he was one of those men who are most needed in a state at the crisis of an impending revolution. Three years afterwards, at the noon of life, being only forty-six years of age, he was removed by death, leaving a name

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\* At Governor Trumbull's retirement from the public service, William Hillhouse was chosen to fill the vacancy at the council-board which had been caused by the promotion of his brother-in-law, Matthew Griswold, to the office of Governor, and of Samuel Huntington to the office of Lieutenant Governor.

that was long retained in a most affectionate remembrance among his townsmen. "His christian life and conversation were truly exemplary, and he was adorned with the graces of meekness, charity and humility." His wife, a lady of French descent, whose grandfather fled to this country at the revocation of the edict of Nantz, was distinguished by dignity of manners, as well as by substantial worth of mind and heart. She survived him almost half a century, and died in 1822 at the age of 89.

Of these two brothers, the younger was childless. His mansion, built by himself at the head of Church street, one of the best houses in New Haven at that day, and his growing possessions, were without a lineal heir.

JAMES HILLHOUSE, the second son of William Hillhouse, of Montville, was adopted into the family of his uncle at New Haven. He was born on the 20th of October, 1754, and was removed from his father's house to his uncle's, when he was only seven years old. By this change in his domestic relations, he was placed as an only child, the pride and hope of his adopted father, in a family where intelligence, hospitality, courtesy, large intercourse with the best society, a constant example of every manly and honorable quality, and a careful religious nurture after the ancient pattern, were united in the influences by which his character was molded. In his early education he was one of the many thousand who have had the benefits of the memorable endowment which Governor Hopkins, in his testamentary remembrance of New England, had provided a century before, and which has now sustained for two hundred years the Grammar Schools of New Haven, Hartford, and Hadley. While he was a student in Yale College, (from 1769 to 1773) the Faculty consisted of the Rev. Dr. Daggett, professor of Divinity and acting President,—Nehemiah Strong, professor of Mathematics and Natural Philosophy,—and three tutors. It is suggestive to trace on the triennial catalogue the names of the men who successively officiated as tutors during that period of four years. For the first year the three tutors were Ebenezer Baldwin, Joseph Howe, and Samuel Wales. The next year, Joseph Lyman and Buckingham St. John occupied the places of Baldwin and Wales. A year later, when Hillhouse was a junior sophister, John Trumbull and Timothy Dwight succeeded to Lyman and St. John; and in the last year of the four, Nathan Strong came in the place of Howe. The tutor under whose immediate care and instruction Hillhouse pursued his studies for the first three years,

was Joseph Howe, afterwards pastor of the New South Church in Boston, whom he always remembered with a grateful reverence.\*

One incident of his college life may be recited here in the words in which it was narrated, more than half a century afterwards, at his funeral: "It will not be improper to say—especially as the fact may produce a salutary impression on some young mind in this assembly—that he was somewhat advanced in college life before he became properly conscious of his powers or of the worth of time, or practically convinced of the importance of that close application to whatever was in hand, by which he was afterwards so distinguished. The late President Dwight, who was then in college as a tutor, though not *his* tutor, had noticed him with interest, and, with the discernment of youthful character which qualified the illustrious president to be the greatest teacher of his age, had seen in him the elements of future greatness; and he, by one well-timed, spirited, affectionate admonition and appeal, roused the man in the bosom of the unthinking stripling, and gave the country a patriot and a sage. To that incident our honored friend often referred in after life with grateful emotion, and from that hour he regarded his benefactor with veneration."

It was almost a matter of course that he was destined to the profession in which his uncle had become so eminent. He began his reading in the science of law soon after leaving college; and it was intended that, before entering on the practice of his profession, he should devote several years to those studies, and should have the benefit of the highest advantages. But on the 6th of October, 1775, only two years after the completion of his college course, the life on which that plan of study depended, was cut off. By the death of his uncle he was suddenly brought under the necessity of directing his own course and of providing for himself. Thenceforward all his success in life was dependent on his own exertions. He had still, indeed, a home in his uncle's family, which consisted of the widow and her mother and grandmother. To a family thus constituted, he was bound not only by grateful

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\* Rev. Joseph Howe, pastor of the New South Church in Boston, died at Hartford, Aug. 20, 1775. Pres. Stiles makes a record of this event in his Literary Diary, and adds, apparently from some publication of the day: "The righteous disposer of events was pleased to remove him from the labors of the present life, soon after he had engaged the public eye and given the world reason to expect much from his eminent abilities, his great attainments in literature, and the uncommon goodness of his heart. His church, now scattered abroad by an exertion of lawless power, are overwhelmed with sorrow." The further information is given, that after his first degree he taught a Grammar School in Hartford.

affection but by the consideration of their dependence upon him. As soon as he could be admitted to the bar, he began the practice of his chosen profession, and was successful in obtaining some part of his uncle's extensive business ; but in his later years he loved to speak of his early struggles, and sometimes said that he was compelled to borrow money for the payment of his first court-fees. He inherited no part of his uncle's property till he was nearly seventy years of age. Yet in a few years, by his diligence and success in his profession, and by the judiciousness of his investments in real estate, he had become a man of wealth.

In his twenty-fourth year, on the first of January, 1779, he was united in marriage with Sarah, daughter of John Lloyd, Esq., of Stamford. But before that new year had ended, his young wife and the infant she had borne him, were laid in the grave. About three years afterwards he married Rebecca, daughter of Col. Melancthon Woolsey, of Dosoris, Long Island. Till after his second marriage, he continued to reside with the widow of his deceased uncle. Afterwards, when the growth of his own family required a separate home for them, he established his residence in close proximity to the mansion that had sheltered his childhood ; and till the death of his aged relative, nothing that the tenderest filial kindness could do for her was wanting on his part. By his second marriage he had two sons and three daughters. The sons were James A. Hillhouse, the poet, and Augustus L. Hillhouse, Esq., who still survives at Paris, where he has resided for more than forty years. Mrs. Hillhouse died on the 29th of December, 1813, and was buried on the new-year's day ensuing. That day was selected for the funeral by her husband's choice because it was the thirty-fifth anniversary of his first marriage.

Much more might be said concerning his domestic life, but this memoir is designed to exhibit his public services and his character as a citizen and a benefactor of the state, rather than those details of personal experience which cannot be adequately represented in any other way than by a liberal use of materials which the sensitiveness of family affection still keeps back from the public. Perhaps the time may come when his private correspondence with his family, and with his intimate friends, will be added to the already accumulated mass of the published letters which exhibit the great men of our revolutionary period in their private friendships and personal sympathies or antipathies, and in their domestic affections and vicissitudes. For our present purpose, it may be enough to say that his was a happy home, where a large and hearty hospi-

tality flourished after the fashion of what has now become the olden time, and where the dignity without the stiffness of antique New England courtesy was combined with a true and affectionate simplicity of manners, and with eminent intelligence and refinement.

Passing from youth to manhood just when the great struggle for independence was about to commence, James Hillhouse shared largely in the patriotic enthusiasm of the time. Before he was of age, he was hindered from joining his townsman, Benedict Arnold, in the memorable expedition of 1775, only by a positive prohibition from his uncle. The death of that relative, in the autumn of the same year, threw upon him, as we have seen, new and heavy responsibilities quite inconsistent with his military aspirations. But in those times every man had opportunity to show whatever capability he might have of military skill and prowess. When every man from eighteen years of age to forty-five was enrolled in the militia and required to do military duty, and when every militia company was constantly liable to be summoned into active service, a commission in the militia had more significance than it can have in times like these. In 1779, James Hillhouse was Captain Hillhouse of the Company of Governor's Foot Guards. Congress, after conferring with General Washington on the condition and constitution of the army, made a new arrangement, requiring each separate State to raise its own definite quota of recruits for the continental service, and offering, through the State, large bounties in lands and money to encourage enlistments. The legislature of Connecticut had determined to offer additional bounties and new guarantees against the depreciation of the currency, and had made special provision for the families of soldiers in the army. Captain Hillhouse was specially entrusted by Governor Trumbull with the duty of promoting enlistments in one of the brigades. A stirring appeal from him, inviting enlistments, and calling on "all friends to American freedom" for their patriotic coöperation in promoting the object, was published in the New Haven newspaper of June 23d, 1779.\*

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\* We transcribe the address at length from the Connecticut Journal of the above named date.

ALL FRIENDS TO AMERICAN FREEDOM.

The period is now come, when (in all probability) we may, with proper exertions, put a speedy termination to the war. And nothing is more necessary to bring about so desirable an event, than furnishing a competent number of men for the field. The encouragement for soldiers to enlist is truly great, and the offers

A few days afterwards, on Monday, July 5th, the Anniversary of the Declaration of Independence was to be celebrated for the first time in New Haven. Captain Hillhouse was among the most active in making the arrangements and preparations for that occasion. Sunday evening—for the New England sabbath was then measured from sunset to sunset—there was a public assembly of citizens in the meeting-house of the First Church, (the old “Middle Brick”) and the programme of the intended celebration was completed. Some of the more zealous and active were occupied till a late

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generous. The time of service will most likely be short; they are to suffer nothing by the depreciation of currency; their families are to be supplied with the substantials of life at the *old price*; the army are well clothed, and provided with everything necessary and convenient; and at the end of the war they are to receive a handsome reward for their services. I am sensible our internal foes, our worst enemies, will throw every discouragement in the way,—will tell you that our money is almost run out, and that we must inevitably submit. But you may be assured that no exertions will be wanting on the part of the United States to disappoint their expectations. And I am confident that should it ever be our misfortune to experience such a calamity, the *free-born sons of America* would arm themselves and go forth, without hire or reward, against our enemies, and never lay down their arms till they had driven every invader from our land. Never have the Americans been animated with a becoming spirit, but they have been successful. No sooner were our Southern Brethren roused to proper exertions, than they defeated the troops, sent upon an expedition, from the success of which our enemies have made such pompous boasts, and have driven them off loaded with infamy and disgrace.

His Excellency, the Governor, has directed me to enlist all within this brigade who shall be so nobly and virtuously inclined. It being a matter of public concern, I beg every individual will use his influence to encourage a competent number to enlist, as it will save the disagreeable necessity of a draught: And voluntary enlistment is certainly much the most eligible, as it will convince our enemies we have not yet lost our spirits, and will fill our brethren, already in the field, with new life and courage to find us ready with cheerfulness to lend them our aid.

Lest there should be any who cannot engage upon the above terms, for fear the war may chance to continue longer than they think they can possibly absent themselves from their families and farms, I am authorized by his Excellency to offer those who will engage to serve in said army until the fifteenth day of January next, twenty pounds bounty, a new regimental coat, and the same pay, refreshment, and family support, during the term of their services respectively as other soldiers in the Continental army, with liberty to choose the company in which they will be joined. And who is there that will deprive himself of the pleasure and satisfaction he would derive through his whole life, from reflecting upon his having served a campaign in so important a period of the war. I hereby invite all, and shall make the offer to as many as possible, to engage before the 10th day of July next, when I am to make return to his Excellency. Those who incline to accept, will, by making application, receive their bounty in bills, and be kindly treated by their most obedient and humble servant,

JAMES HILLHOUSE.

New Haven, June 21, 1779.

hour in making preparations. They could not have had much time for sleep, when at two o'clock in the morning of that day a British fleet, which had sailed from New York on Saturday, anchored off West-Haven. Alarm guns were fired, and the militia were called to arms. A portion of the inhabitants made haste to remove their families, and whatever of their household goods was most valuable. Others were slow to believe that any great danger was impending, and flattered themselves with the hope that the fleet would sail in the morning. But not long after sunrise, those who were watching with a telescope on the tower of the college chapel, (the building now known as the Athenæum) saw distinctly boats putting off from the shipping for the shore, and there was no longer room for the most incredulous or the most hopeful to doubt what were the intentions of the enemy. Of the adult male population, a large portion armed themselves and went forth to meet the invaders. Another portion left the town with those of the women and children who were removed to places of safety. Others, to the number of ninety or a hundred, remained at home, "partly tories, partly timid whigs," as President Stiles describes them. The land force designed for the destruction of New Haven was two thousand six hundred men, as officially reported. One division, under the command of Gen. Garth, was landed, and as soon as that operation was completed the fleet sailed to the other side of the harbor, where the landing of the other division, under the immediate command of Gen. Tryon; was speedily effected. The inhabitants of East Haven and the adjoining towns found occupation for Gen. Tryon and his troops, while the available force of New Haven, amounting to not more than two hundred men, with two field pieces, went out to encounter Gen. Garth. Hezekiah Sabin, who was a lieutenant colonel in the militia, seems to have been the recognized commander of the little force extemporaneously raised. The two pieces of artillery were stationed at West Bridge, where some slight defences were hastily raised in a position to command not only the bridge but the long causeway by which it is approached from the west. "Captain Hillhouse," says President Stiles, "with twenty or thirty brave young men, together with many others, crossed the bridge over to Milford Hill, and within a hundred yards or a quarter of a mile of the [West Haven] meeting house, where the enemy were paraded. Upon their beginning the march, Captain Hillhouse fired upon the advanced guard so as to drive them in upon the main body. But coming in force, the enemy proceeded. Others be-

sides Hillhouse's party had by this time passed the bridge and reached the hill, to perhaps one hundred and fifty men. These kept up a galling fire on especially their outguards extending perhaps forty or fifty rods on each side the column.\* Our artillery at the bridge was well managed by Captain [Phineas] Bradley, threw shot successfully across to Milford Hill, and prevented the enemy from passing the causeway and so into town that way." Thus baffled at that point the enemy continued their march northward to what is now the Westville Bridge, annoyed and harassed on their march by a party of the New Haven men on their left under the leadership of Aaron Burr, who happened to be with some of his relatives in New Haven at that time, and who after carrying a young daughter of his uncle, Pierpont Edwards,† to a place of safety in North Haven, had returned in time to partake in the fight. Meanwhile Captain Hillhouse and the remainder of the little force on Milford Hill returned over West Bridge, and with Col. Sabin and the two field pieces went across the fields to meet the enemy at the Westville Bridge. There the enemy effected

\*It was "at the second mile-stone," just where the road to West Haven diverges from the Milford road, that the Rev. Dr. Daggett, Professor of Divinity in Yale College, (and the acting President for nine years before the accession of Dr. Stiles) encountered the enemy. He had come from the town "riding furiously on his old black mare, with his long fowling piece in his hand." At the bridge he had addressed a few "patriotic and earnest words" to the little company that was to serve the artillery. Rushing by the company of young men under Capt. Hillhouse, several of them students, he was greeted with cheers. As they turned southward toward West Haven, they saw him ascending a little to the west, and taking his station deliberately in a little copse of woods. When the young men, having driven back the advanced guard and encountered the main body of the enemy, were making their hasty retreat to regain the other side of the river, the professor, who never had learned to "advance backward," kept his station with characteristic fearlessness and tenacity, waiting for the enemy. As the British column came up, several successive shots from the hill side arrested their attention, and the sturdy form of the professor in his clerical costume was easily discovered by the party sent to the spot whence the firing proceeded. "What are you doing there, you old fool, firing on His Majesty's troops?" was the exclamation of the officer. "*Exercising the rights of war,*" replied the professor. The oddity of such an answer, proceeding from such a person, probably arrested the shot or the bayonet that might have killed him on the instant; and the question was put whether, if his life was spared, he would be likely ever to do such a thing again. "*Nothing more likely,*" said he, "*I rather think I should.*" He was permitted to surrender himself; but was cruelly pierced with bayonets, and driven at the head of their column till they reached the town. For a month afterwards his life was in danger from the wounds and injuries which he had received, and indeed, his death, which took place in the following year, was hastened by those sufferings. See the article on Prof. Daggett in Dr. Sprague's Annals of the American Pulpit, Vol. I.

† The late Mrs. Johnson, of Stratford.

their passage, partly over the bridge and partly by fording the river. But as they came up the hill from the river, and took the road towards the town, the force commanded by Col. Sabin and Captain Hillhouse, "gave them a heavy fire and took a number of prisoners." By this time, too, they began to be annoyed by parties of militia from Derby and other towns. The New Haven men kept up their firing as they retreated toward their homes. Just at the entrance of the town as it then was, near where the junction of Dixwell street and Whalley avenue now is, there was something like a battle for a little while, and a number were killed on both sides. The enemy entered the town at a little before one o'clock p. m., greatly exhausted with the extreme heat of the day as well as with their long march and the annoyances they had met by the way.

This bold defense of New Haven against a force so greatly superior, answered its main purpose. It gave time not only for the escape of a large portion of the alarmed defenseless population, but also for the removal and concealment of much property that would otherwise have been destroyed or carried off by the enemy; and it saved the town from the fate which immediately afterwards fell upon Fairfield and Norwalk. "From the first entrance till eight in the evening, the town was given up to ravage and plunder, from which only a few houses were protected." Mrs. Hillhouse, the widow of James Abraham Hillhouse, was a member of the Church of England, and her political sympathies were with the British. Hers, therefore, was one of the few houses to be protected from pillage. Some of the British officers were quartered there, and were received with the courtesy due to men who bore His Majesty's commission. Yet the loyal lady was in great danger from the imputation of her nephew's patriotism. It happened that the newspaper containing Captain Hillhouse's patriotic call for recruits came under the notice of the officers almost as soon as they entered the house which was to be protected for its loyalty. The house and its contents would have been immediately given up to the plundering soldiers, had not the lady, with a dignified frankness which repelled suspicion, informed her guests that though the young man whose name was subscribed to that call was a near and valued relative of hers, and was actually resident under that roof, the property was entirely her own; and that the part which he had taken in the conflict with Great Britain, was taken not only on his own responsibility, but in opposition to her judgment and her sympathies.

Gen. Tryon's official report shows that the conflagration of the town was intended, and that the purpose was relinquished because it became necessary to hasten the re-embarkation of the troops. The intended junction of the division which landed on the East Haven side with that which landed at West Haven, could not be effected. Squads and companies of militia from the neighboring towns were beginning to gather on every side like angry clouds portending a tempest. The invaders found themselves in a dangerous position : and at the earliest morning hour they called in their guards, and were glad to find that they were permitted to embark without molestation. The result of their expedition was that they had killed twenty-seven Americans, (including those who were slain in their own houses) and had wounded nineteen, while they themselves had lost about eighty in killed and wounded ; that they had carried away some tories who dared not stay behind, and a few prisoners (including some whose only offense was that they were respected and trusted by their fellow-citizens) ; that they had destroyed about seventy thousand dollars worth of private property ; and that they had effectually extirpated whatever sentiment of loyalty toward the British crown had lingered till then among the more conservative sort of people.

In May, 1780, the roll of the House of Representatives in the State legislature shows the name of "Captain James Hillhouse" as the second representative from the town of New Haven. The next year he was first representative ; and thenceforward he was frequently re-elected by his townsmen to this trust, till the people of the whole State in 1789 called him to a seat in the Council. In 1786, and again in 1787, he was elected by the people at large a delegate to the Congress of the old confederation ; but he did not serve in that capacity. It is believed that no other instance can be found in which so young a man has been so trusted and honored by the people of Connecticut.

In 1782, he was elected Treasurer of Yale College, and he held that office through all the remainder of his life, just fifty years. Nor did it become to him a merely honorary office, when other public trusts and duties required him to be absent from New Haven for a large part of every year. An Assistant Treasurer was employed by the corporation to relieve him of the executive details of the business ; but he himself, through all that long term of service, superintended the finances of the institution, and was ever active and watchful to promote its interests. He loved it not only because of his personal relation to it as an alumnus, but also be-

cause, in his estimation, its continued efficiency and the enlargement of its means of usefulness were essential to the welfare and the political and social advancement of his native Connecticut. Few names in the history of Yale College are more worthy than his to be had in perpetual and grateful remembrance.

In October, 1790, Mr. Hillhouse was elected one of the five representatives from Connecticut in the second Congress of the United States. His colleagues in the representation were Jonathan Sturges, Jonathan Trumbull, Jeremiah Wadsworth, and Amasa Learned. The published debates (see Benton's Abridgment) give ample evidence of his activity and influence as a member of the House of Representatives. Many important questions in relation to the working of the government under the Federal Constitution were to be considered and decided; for though the first Congress, in its three laborious sessions, had organized the judiciary and the various departments of executive administration, had provided a revenue for the Federal treasury, had re-established the public credit, had enacted a rule of naturalization, had made the necessary regulations for the sale and settlement of the public lands, and by the wisdom of their measures had secured for the new government the widest confidence in its stability and efficiency, there remained other great questions incidental to the newness of the constitution. We find Mr. Hillhouse taking part in almost every great debate; and his speeches show not only his ability as a debater, but his blunt and fearless honesty, his unfailing good humor, and his sagacious and large-minded patriotism. His first speech, as given in the Abridged Debates, was on the ratio of representation. Next he takes part in the discussion on a provision for declaring what officer shall act as President in case of a vacancy in the office both of President and Vice President. In the second session of that Congress, we find him speaking, first against a proposed reduction of the army at a time when the United States were at war with powerful tribes of Indians, and, next, in the great and protracted debate on the official conduct of the Secretary of the Treasury, Alexander Hamilton. In the third Congress, the representation of Connecticut being increased by the new apportionment, his colleagues were Learned, Trumbull and Wadsworth, of the former delegation, together with Joshua Coit, Zephaniah Swift, and Uriah Tracy. In the fourth Congress he had three new colleagues in the places of Learned, Trumbull and Wadsworth, namely, Chauncey Goodrich, Roger Griswold, and Nathaniel Smith. The first session of that Congress was signalized by two

memorable debates on questions arising out of the treaty with Great Britain, known as Jay's Treaty ;—first, on a motion to request of the President (Washington) a copy of the instructions given to the minister by whom the treaty was negotiated, and of all the correspondence and documents in relation to it ; and afterwards on the expediency of legislation to carry the treaty into effect. In both those debates, and especially in the second, Mr. Hillhouse had a conspicuous part.

At the opening of the next session, which began at Philadelphia, Dec. 5, 1796, he entered the Senate, having been chosen to complete the unexpired term of Oliver Ellsworth, who had resigned his seat in the Senate for the seat of Chief Justice in the Supreme Court of the United States. At the inauguration of President John Adams, March 4, 1797, he presented the credentials of his re-election for the full term of six years then commencing. When Mr. Jefferson, after being elected President, withdrew from the presidency of the Senate, Mr. Hillhouse was made President *pro tempore* of that body. He was duly re-elected for another term commencing in March, 1803, and for yet another commencing with the first inauguration of President Madison, in 1809. He and his colleague, Uriah Tracy, who entered the Senate with him, as successor of Jonathan Trumbull for an unexpired term, are the only senators four times elected to that place by the State of Connecticut. Hillhouse and Tracy were colleagues in the Senate till the death of the latter in 1807, just at the commencement of his fourth term of service. In the party divisions of that period, Mr. Hillhouse ranked with the Federalists. He had supported the administration of Washington and the elder Adams, and he was in the opposition under the administration of Jefferson. Yet his speeches show that he was by no means a mere partizan, and that on great questions of statesmanship, he ordinarily rose to views above the range of party interests. Thus in the debate of November, 1803, on that amendment to the Constitution by which the present mode of electing President and Vice President was introduced, we find him saying—

Though it is impossible to prevent party altogether, much more when population and luxury increase, and corruption and vice with them, it is prudent to preserve as many checks against it as are practicable. I have been long in Congress, and have seen the conflicting interests of large and small States operate. The time may not be remote when party will adopt new designations. Federal and Republican parties have had their day; their designations will not last long, and the ground of difference between parties will not be the same that it has been; new names and new views will be taken; if has been the course in all nations. \* \* \* A fanciful difference in politics is the bugbear of party now, because no other, no real cause of difference has subsisted.

Federalist as he was, his theory of the Federal government, even while the party with which he acted was ascendant in the Union, abhorred the idea of centralized and consolidated power. He regarded the State governments as the great conservative force in our political system, the guardians of liberty against power, the depositaries of all the most important public trusts, and the ultimate security, under God, for the efficiency and permanence of republican principles. He opposed whatever tended to magnify with factitious honors and means of influence the functionaries of the Federal power. The Presidency of the United States, with its great and ever growing accumulation of power, and with the excitements and perils of the quadrennial election, was to his view the point of peril in our system. He sometimes said among his friends, that the Presidency was made for Washington ; that the Convention in defining the powers of that office, and the States, in accepting the constitution as it was, had Washington only in their thoughts ; and that the powers of that office were too great to be committed to any other man. Such considerations, long cherished, led him to propose, in April, 1808, certain amendments to the constitution, aiming at a radical reformation of what he considered as the dangerous tendencies in the system of our Federal government. That proposal has been so often associated with his name by those who know little of what it was, or of what he was, that the readers of this memoir will reasonably expect to find here his own statement and explanation of his views. The lapse of more than half a century since his speech in the Senate explaining his proposed amendments, has added as much to the strength of the Union as it has added to our territorial dimensions and to our imperial wealth and greatness ; but it has not invigorated the sentiment of State sovereignty ; nor has it diminished the power of the President or the excitements that attend a Presidential election. Those who have already forgotten what threats were gravely made by the gravest sort of men while the last election was in progress, and what schemes were projected by fiery and dangerous men to dissolve the Union by violence in the event of the success of the candidate whom they opposed—those who do not know that the business of making Presidents has become the absorbing and all-subordinating business of our national politics ; nor that the salaries, jobs, and perquisites, directly or indirectly at the disposal of the President, are claimed and acknowledged as due to the party workers who have helped him to his place of power—may

smile at the fear which so old-fashioned a patriot as James Hillhouse could not but feel for the future of his country.\*

\* The resolution in which Mr. Hillhouse presented his proposed amendments to the Senate, was as follows:

*Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both Houses concurring,) That the following articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States; all or any of which articles, when ratified by three-fourths of the said Legislatures; to be valid to all intents and purposes as part of the said Constitution, viz:*

**ARTICLES in addition to, and amendment of, the CONSTITUTION OF THE UNITED STATES OF AMERICA**, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth article of the original Constitution.

I. After the third day of March, one thousand eight hundred and thirteen, the House of Representatives shall be composed of members chosen every year by the people of the several States: their electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature; and their term of service shall expire on the first Tuesday of April in each year.

II. After the third day of March, one thousand eight hundred and thirteen, the Senators of the United States shall be chosen for three years, and their term of service shall expire on the first Tuesday of April.

Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be, into three classes. The seats of the first class shall be vacated at the expiration of the first year; of the second class at the expiration of the second year; and of the third class, at the expiration of the third year: so that one third may be chosen every year. Vacancies to be filled as already provided.

III. On the third day of March, one thousand eight hundred and thirteen, the President of the United States shall be appointed, and shall hold his office until the expiration of the first Tuesday of April, one thousand eight hundred and fourteen. And on the first Tuesday of April, one thousand eight hundred and fourteen, and on the first Tuesday of April, in each succeeding year, the President shall be appointed, to hold his office during the term of one year. The mode of appointment shall be as follows:

In presence of the Senate and House of Representatives, each Senator belonging to the class whose term of service will first expire, and constitutionally eligible to the office of President, of which the House of Representatives shall be the sole judges, and shall decide without debate, shall, beginning with the first on the alphabet, and in their alphabetical order, draw a ball out of a box containing the same number of uniform balls as there shall be Senators present and eligible, one of which balls shall be colored, the others white. The Senator who shall draw the colored ball shall be President. A Committee of the House of Representatives, to consist of a member from each State, to be appointed in such manner as the House shall direct, shall place the balls in the box, shall shake the same so as to intermix them, and shall superintend the drawing thereof. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties thereof, if Congress be then in session, or if not, as soon as they shall be in session, the President shall, in the manner before mentioned, be appointed for the residue of the term. And until the disability be removed, or a President be appointed, the Speaker of the Senate shall act as President. And Congress may, by law, provide for the case of removal by death,

The entire speech in which Mr. Hillhouse explained to the Senate his proposals for amendments to the constitution, is too long to be transcribed in this place. A condensed abstract, with a few selected passages, may serve to exhibit the mind and spirit of the man. Having referred, in his exordium, to the circumstances in which the constitution was formed and adopted, he said :

Before I proceed with my explanatory remarks, I must take the liberty of stating that in using the terms 'monarchy,' 'aristocracy,' and 'democracy,' I do not use them as the cant words of party ; I use them in their fair genuine sense. The terms 'Federalist' and 'Republican,' I do not use by way of commendation or reproach, but merely by way of description, as the first names of individuals to distinguish them from others of the same family name.

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resignation, or inability of the President, and vacancy in the office, or inability of the Speaker of the Senate; and such officer shall act accordingly until the disability of the President be removed, or another be appointed.

The seat of a Senator who shall be appointed as President, shall thereby be vacated.

IV. After the third day of March, one thousand eight hundred and thirteen, the compensation of the President shall not exceed fifteen thousand dollars a year.

V. After the third day of March, one thousand eight hundred and thirteen, the office of Vice-President shall cease. And the Senate, on the same day in each year, when the President shall be annually appointed, shall choose a Speaker; and in the absence of the Speaker, or when he shall exercise the office of President, the Senate shall choose a Speaker pro-tempore.

VI. After the third day of March, one thousand eight hundred and thirteen, the President shall nominate, and by and with the advice and consent of the Senate and of the House of Representatives, shall appoint Ambassadors, other public Ministers, and Consuls, Judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law. But Congress may, by law, vest the appointment of such officers as they think proper, in the President, by and with the advice and consent of the Senate; and of the inferior officers in the President alone, in the courts of law, or in the heads of departments. But no law vesting the power of appointment shall be for a longer term than two years. All proceedings on nominations shall be with closed doors, and without debate; but information of the character and qualifications of the person nominated shall be received.

VII. After the third day of March, one thousand eight hundred and thirteen, the President shall have power to fill all vacancies that may happen during the recess of Congress, by granting commissions, which shall expire at the end of their next session. No removal from office shall take place without the consent of the Senate and House of Representatives. But Congress may, by law, authorize the removal, by the same power as may, by law, be authorized to make the appointment. But in every case of misconduct in office, where the consent of the Senate, or of the Senate and House of Representatives, shall be necessary to a removal, the President, during the recess of Congress, may suspend the officer, and make a temporary appointment of a person to exercise the office, until the next meeting of Congress, and until a decision can be had by the Senate, or by the Senate and House of Representatives, as the case may be, on a question for the removal of the officer suspended. All proceedings respecting removal from office shall be had without debate, upon the information and reasons which shall be communicated by the President, and with closed doors.

Federalists and Republicans never divided upon the elementary principles of government. There are very few Americans who are not in principle attached to a free republican government; though they may differ on minor points, and about the best mode of organizing it. Persons attached to monarchy or aristocracy are few indeed, they are but as the dust in the balance. No one in his sober senses can believe it practicable, or politic if practicable to use either. If ever introduced, which God forbid, it must be done at the point of the bayonet.

He referred to the origin of parties under the constitution, and to the names of the parties then existing, and said—"The supposed differences are more imaginary than real. Names may, and sometimes do, deceive ignorant, uninformed individuals, but these names now scarcely do that."

Some of the important features of our constitution were borrowed from a model which did not very well suit our condition. I mean the constitution and government of England, a mixed monarchy, in which monarchy, aristocracy and democracy are so combined as to form a check on each other. One important and indispensable requisite of such a government is, that the two first branches should be hereditary, and that the monarch should be the fountain of honor and source of power. In the United States, the people are the source of *all* power.

Placing in the hands of the Chief Magistrate, who depends on a popular election, prerogatives and powers in many respects equal to—in some, exceeding in practice those exercised by the King of Great Britain, is one of the errors of the constitution. This error can be corrected only in one of two ways; either the office must be stripped of those high prerogatives and powers, and the term of holding the office shortened, or some other mode devised than a popular election, for appointing a President; otherwise our country must perpetually groan under the scourge of party rage and violence; and be continually exposed to that worst of all calamities, civil war.

He was well aware that he had engaged in a difficult undertaking, but after speaking briefly of the prejudices and interests which were in his way, and courteously claiming for his proposals a deliberate and candid hearing, he proceeded :

A prominent feature of the amendments is, to shorten the term of service of the President, Senators, and Representatives. Observation and experience having convinced me that in an elective government, long terms of office and high compensations do not tend to make independent public servants, while they produce an anxious solicitude in the incumbents to keep their places, and render seekers of office more eager to obtain them, and more regardless of the means.

My first amendment goes to reduce the term of service of the members of the House of Representatives to one year.

No inconvenience can arise from this arrangement, because there is a constitutional provision that Congress shall assemble once in every year. That body, composed of the immediate representatives of the people, ought to exhibit a fair representation of their sentiments and will; and coming fresh from the people to the Congress of each year, will, it may be presumed, fairly express such sentiments and will. And if, in an interval from one session of Congress to another, there be a real change of public sentiment, why should not that change be expressed? Will an attempt in their representatives to resist it tend to tranquillize the public mind? or will it not, like persecution in religion, tend to make proselytes to their sentiments?

Constitutions, except so far as they are necessary to organize the several departments of government, and bring the public functionaries into a situation to deliberate and act—and in the General government to draw the line

of demarcation between that and the State governments, to prevent interference and collision,—are of little avail, and present but feeble barriers against the public will. Whenever a measure is understood and believed to be necessary to promote the general welfare, the people will not fail to effect it. If they cannot, by construction, get round the constitution, they will by an amendment, go directly to their object. The danger is that by attempting to extend constitutional restrictions too far, unnatural and mischievous exertions of power may be produced.

The application of this last remark to the point immediately under discussion is, that if the Federal Constitution undertakes to check the power of the States (that is of the people in the States) over their own united government, by making the election of representatives infrequent, it gives occasion and temptation to "unnatural and mischievous exertions of power." If the people are not allowed to express their will in the frequent election of those who are to be the organs of that will, they will naturally resort to other and irregular methods. But without making this application, he proceeded:

By the second amendment, the term of service of the senators is to be reduced to three years; one-third to be chosen each year. \* \* \*

Senators represent the rights and interests of States in respect to their sovereignty. In them, therefore, the States ought to feel a *confidence*. And this confidence will rather be increased than lessened by shortening the term of service to three years. Shall I be told that the legislatures of the States are not to be relied on for their *stability* and *patriotism*? that it would be unsafe, every third year to trust them with the appointment of their senators? No, surely. The several States are the *pillars* on which the Constitution of the United States *rests*, and *must rest*. If these pillars are not sound—if they are composed of feeble, frail materials, then must the General government moulder into *ruin*. This, however, is not my belief. I have confidence in the State governments. I am for keeping them in their *full vigor and strength*. For if any disaster befalls the General government, the States, having within their respective spheres all the power of independent governments, will be the arks of safety to which the citizens can flee for protection from anarchy and the horrid evils which follow in its train. I have therefore uniformly been opposed to measures which had the remotest tendency to their consolidation. \* \* \*

The third amendment provides for the appointment of a President. He is to be taken by lot from the Senate, and is to hold his office for one year.

Of course, he could not but acknowledge that this mode of selection was liable to obvious objections. He would not have proposed it "if any other could have been devised which would not convulse the whole body politic, set wide open the door to intrigue and cabal, and bring upon the nation incalculable evils, evils already felt and growing much more serious." The two objections which he undertook to answer were, first, that this mode of selection "is a departure from the *elective principle*," and, secondly, "that it will not always ensure the best talents." The answer to both these objections is involved in the progress of his argument.

When senators shall be chosen with an eye to this provision, every State will be anxious to make such a selection of persons as will not disgrace it in the eventual elevation of one of them to the Presidential chair. Every State

legislature would, in the choice of the senator, consider itself as nominating a candidate for the Presidency. The effect of this arrangement would be, in reality, that instead of the States appointing Electors to choose a President, the legislatures themselves would become the Electors, with this advantage, that the nomination would be made when not under the influence of a Presidential electioneering fever. In the regular course of appointing senators, only one nomination would be made at one time in each State; and, in most cases, three years would elapse before he could be designated for the Presidency. The great caution in the selection of senators, with a reference to that high office, would produce another excellent effect: it would ensure the continuance in that body of men of the most respectable talents and education—an object of the highest importance to the general welfare.

The two objections are disposed of; the first by showing that, under the existing constitution, whenever the House of Representatives, voting by States, selects a President from among three of the candidates from the Electoral colleges, the departure from the elective principle is hardly less than if a President were to be designated by lot from among a larger yet carefully selected number of candidates;—and the second, by showing that if every senator were to be selected with reference to the contingency of his serving in the chief executive office of the government, men of inferior ability would naturally be excluded from the Senate; that under the present system there is the same possibility of having a President neither distinguished for talents nor for integrity, and the further danger of having one of that sort, who, instead of going out of office at the end of a year, will be President for four years; and that the eminent talents and experience of subordinate functionaries, such as the heads of departments, will be no less available, and no more necessary to a President thus appointed for one year than they now are to a President appointed in conformity with the constitution as it is.

Having disposed of the objections to his plan, the Senator proceeded to exhibit in a more positive way some of the dangers inseparable from that part of the Constitution which he was proposing to amend. Whether those dangers are real, and whether they are on the whole less threatening now than they were fifty years ago, are questions on which, perhaps, there is room for a difference of opinion among thoughtful and patriotic minds.

The office of President is the only one in our government clothed with such powers as might endanger liberty, and I am not without apprehension that, at some future period, they may be exerted to overthrow the liberties of our country. The change from four to ten years is small; the next step would be from ten years to life, and then to the nomination of a successor, from which the transition to an hereditary monarchy would almost follow of course. The exigencies of the country, the public safety, and the means of defense against foreign invasion, may place in the hands of an ambitious, daring President, an army of which he would be the legitimate commander, and with which he might enforce his claim. This may not happen in my day; it prob-

ably will not; but I have children whom I love, and whom I expect to leave behind me to share in the destinies of our common country. I cannot therefore feel indifferent to what may befall them, and generations yet unborn.

After showing in a few words that his proposed amendments in regard to the Presidential office would "render it impossible to bring the high prerogatives of this office to aid in procuring it," he went on to say—

Of the impropriety and impolicy of the present mode of electing a President, can there be stronger proof, can there be more convincing evidence, than is now exhibiting in the United States? In whatever direction we turn our eyes, we behold the people arranging themselves for the purpose of commencing the electioneering campaign for the next President and Vice President. All the passions and feelings of the human heart are brought into the most active operation. The electioneering spirit finds its way to every fireside; pervades our domestic circles, and threatens to destroy the enjoyment of social harmony. The seeds of discord will be sown in families, among friends, and throughout the whole community. In saying this, I do not mean anything to the disadvantage of either of the candidates. They may have no agency in the business. They may be the involuntary objects of such competition, without the power of directing or controlling the storm. The fault is in the mode of election, in setting the people to choose a King. In fact, a popular election, and the exercise of such powers and prerogatives as are by the Constitution vested in the President, are incompatible. The evil is increasing and will increase, until it shall terminate in civil war and despotism. The people, suffering under the scourge of party feuds and factions, and finding no refuge under the State, any more than in the General government, from party persecution and oppression, may become impatient, and submit to the first tyrant who can protect them against the thousand tyrants.

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Reducing the Presidential term of service to one year, will remove the necessity of attaching to the office the splendor of a palace. The simplicity of ancient republics would better suit the nature of our government. The instances of persons called from the plough to command armies, or to preside over the public councils, show that in a republic pomp and splendor are not necessary to real dignity. Cincinnatus, who was content with the scanty support derived from tilling, with his own hands, his four-acre farm, has been as celebrated in history as the most splendid monarchs. By these remarks I would not be understood to object against giving adequate salaries to all public functionaries. In the case of subordinate officers, it may be left to legislative discretion. But the President, having such great power and extensive influence, his compensation ought to have a constitutional limit, and not exceed fifteen thousand dollars.

It is chiefly for the sake of illustrating the character of the man that these extended quotations have been given. A naked statement of his proposal, unaccompanied by any of his own explanations, might make upon some minds a very false impression. He was not a visionary statesman, like those who in their closets frame ingenious schemes of government for utopian commonwealths. Nor was he one of those who have a passion for pulling down the fabric of existing institutions for the sake of some new-fangled reconstruction. His genius was conservative rather than revolutionary, and practical rather than speculative. The reasons and explanations which he offered in his speech, and which have been

spread before the readers of this memoir, show the conservative and practical character of his mind. He had observed with deep insight, and with far reaching foresight, the working of those constitutional arrangements which he proposed to amend. He saw in the ever widening vortex of Presidential power and patronage, and in the ever returning agitation of Presidential elections, a force that threatened to engulf the independent self-government of the States within their separate sovereignties ; and he desired such a modification of the system as should effectually remove that danger.

More than twenty years afterwards, when he had retired from all his public employments, he opened a correspondence with some of the most eminent survivors of his own generation, asking their views of his proposed remedy for what had so long seemed to him the chief infirmity of the Federal Constitution. Large portions of the replies which he received from President Madison, Chief Justice Marshall, Chancellor Kent, and Mr. Crawford, who had been contemporary with him in the Senate, and afterwards Secretary of the Treasury under President Monroe, were communicated to the New York Historical Society in 1848, by James H. Raymond, Esq., and were published in the proceedings of the Society for that year. Mr. Madison, as might be anticipated from the part which he had taken in the formation of the Constitution, and from his long familiarity with the exercise of executive power in the highest offices of government, felt strongly and represented with much clearness and force the obvious objections to the bold and sweeping change proposed by Mr. Hillhouse. Chief Justice Marshall acknowledged that in 1830 (the date of the correspondence,) ‘his views of this subject had changed a good deal since 1808.’ He ‘considered it, however, rather as an affair of curious speculation than of probable fact.’ “Your plan,” said he, “comes in conflict with so many opposing interests and deep-rooted prejudices, that I would despair of its success, were its ability still more apparent than it is.” After intimating that “we must proceed with our present system till its evils become still more obvious,” he proceeded as follows :

My own private mind has been slowly and reluctantly advancing to the belief that the present mode of choosing the chief magistrate threatens the most serious danger to the public happiness. The passions of men are inflamed to so fearful an extent, large masses are so embittered against each other, that I dread the consequences. The election agitates every section of the United States, and the ferment is never to subside. Scarcely is a President elected, before the machinations respecting a successor commence. Every political question is affected by it. All those who are in office, all those who want office, are put in motion. The angriest, I might say the worst passions are roused and put into full activity. Vast masses, united closely, move

in opposite directions, animated with the most hostile feelings towards each other. What is to be the effect of all this? Age is, perhaps, unreasonably timid. Certain it is, that I now dread consequences which I once thought imaginary. I feel disposed to take refuge under some less turbulent and less dangerous mode of choosing the chief magistrate, and my mind suggests none less objectionable than that you have proposed. We shall no longer be enlisted under the banners of particular men. Strife will no longer be excited, when it can no longer affect its object. Neither the people at large, nor the councils of the nation, will be agitated by the all-disturbing question,—Who shall be President? Yet he will, in truth, be chosen substantially by the people. The Senators must always be among the most able men of the States. Though not appointed for the particular purpose, they must always be appointed for important purposes, and must possess a large share of the public confidence. If the people of the United States were to elect as many persons as compose one senatorial class, and the President was to be chosen among them by lot, in the manner you propose, he would be substantially elected by the people; and yet such a mode of election would be recommended by no advantages which your plan does not possess. In many respects it would be less eligible.

Reasoning *a priori*, I should undoubtedly pronounce the system adopted by the Convention, the best that could be devised. Judging from experience, I am driven to a different conclusion.

Chancellor Kent wrote in the same vein of thought. He said of "the popular election of the President," (which, by the way, was not intended by the framers of the Constitution\*) "it is that part of the machine of our government that I am afraid is doomed to destroy us." "Our plan of election of a President, I apprehend, has failed of its purpose, as it was presumed and foretold that it would fail by some of the profoundest statesmen of 1787. We cannot but perceive that this very presidential question has already disturbed and corrupted the administration of the government, and cherishes intrigue, duplicity, abuse of power, and corrupt and arbitrary measures." "Your reflections are sage, patriotic, and denote a deep and just knowledge of government and man."

Mr. Crawford's letter records the fact that he seconded in the Senate Mr. Hillhouse's resolution proposing his amendments of the Constitution, though at that time he had not made up his mind definitely upon the principle of the amendments. But subsequent "reflection and experience" had convinced him. He went on to say—

\* Did the framers of the Constitution expect that, in less than half a century, the colleges of Electors, assembling in their several States ostensibly for the performance of a duty requiring the highest wisdom and the most enlarged patriotism, would have no other function than simply to register the decrees of party conventions—a function to which any man with intelligence enough to write his name, and honesty enough to keep out of the penitentiary, would be perfectly competent? Was it their intention that the several Electoral colleges, in the performance of their high duty, would have precisely the same liberty of choice with the dean and chapter of an English cathedral in the election of a bishop who has already received the appointment from the Crown, and whom they cannot refuse to vote for without incurring the penalties of a *præmunire*?

I am now entirely convinced that great talents are not necessary for the chief magistracy of this nation. A moderate share of talents, with integrity of character and conduct, is all that is necessary. Under the principle of your amendment, I think there is little probability that a President would be elected, weaker than Col. \_\_\_\_\_, or with less practical common sense than Mr. \_\_\_\_\_. But I am not certain that the nation is prepared for such an amendment. There is something fascinating in the idea of selecting the best talents in the nation for the chief magistrate of the Union. The view which ought to decide in favor of the principle of your amendment, is seldom taken. The true view is this: elective chief magistrates are not, and cannot, in the nature of things, be the best men in the nation; while such elections never fail to produce mischief to the nation. The evils of such elections have generally induced civilized nations to submit to hereditary monarchy. Now the evil which is incident to this form of government, is that of having the oldest son of the monarch for ruler, whether he is a fool, a rascal, or a madman. I think no man who will reflect coolly upon the subject, but would prefer a President chosen by lot out of the Senate, to running the risk of having a fool, a rascal, or a madman, in the oldest son of the wisest and most benevolent sovereign that ever lived. When the amendment is considered in this point of view I think it will find favor, especially when it must be admitted that the election of a President in this manner will be productive of as little turmoil and agitation as the accession of the son to the father in hereditary monarchies. The more I reflect upon the subject, the more I am in favor of your amendment.

Mr. Hillhouse, after fourteen years of service in the Senate, resigned his seat that he might accept a new and more arduous trust to which he was invited by his native State, and for which he was eminently qualified by his peculiar talents, his great experience, and his high character for disinterestedness and public spirit as well as for strict fidelity to every duty.

The royal charters which had defined the boundaries of the States while they were colonies, gave to several of them, and to Connecticut among others, "the South Sea," or Pacific Ocean, for a western limit. In 1786, while Virginia and other States were marking their western boundaries at their own discretion, and ceding to Congress, with various reservations, their claims to territories farther west, the State of Connecticut, by its deed of cession, reserved to itself a new Connecticut on the southern shore of Lake Erie, of the same length, and between the same parallels of latitude, with the old Connecticut on the northern shore of Long Island Sound. A portion of the lands thus reserved was appropriated to indemnify the inhabitants of those towns which had been wholly or partially destroyed by the British forces in the war of the revolution. In May, 1795, the legislature made arrangements for the sale of the remainder, (not far from 3,300,000 acres in extent) by a commission of eight persons appointed for that purpose, the Hon. John Treadwell being chairman. By the same legislature it was ordained that the avails should constitute a permanent fund for the support of those common schools which had been from the beginning a characteristic institution of New Eng-

land. At the October session of the same year, the commissioners reported that the land had been sold to a company of capitalists for the sum of 1,200,000 dollars, payable in five years, with annual interest after the expiration of two years. The fund thus established was continued in the care of the original commissioners till the year 1800, when payment from the purchasers of the Reserve became due. At that time Mr. Treadwell, afterwards governor, and four others, including the State Treasurer for the time being, were appointed "Managers of the funds arising on the sales of the Western Reserve," an arrangement which continued ten years. But notwithstanding the unquestioned fidelity of those "Managers," the expectations with which the fund was instituted had not been realized. The payments of interest which began to be due in 1797, instead of being \$72,000 annually, as they should have been according to the conditions of the sale, fell so far short, that in thirteen years the average amount that had been annually distributed for the support of schools, was less than half the legal interest of the capital. From the report of the Managers to the legislature, at the October session in 1809, it appeared that not only that large amount of interest remained unpaid, but that considerable portions of the capital, also, were in danger of being lost by the failure of collateral securities. A committee, of which the Hon. David Daggett was chairman, recommended that the fund should be entrusted to the care and control of one man; and at the next session, in May, 1810, after due deliberation by the people as well as by their representatives, the office of "Commissioner of the School Fund" was created; and the Board of Managers was abolished.

As Mr. Hillhouse was wont to say that the office of President of the United States was made for George Washington, so we may say that in Connecticut the office of "Commissioner of the School Fund" was created at that juncture because all eyes were turned toward one man as singularly competent to so great and delicate a trust. The committee by whom the change of system in the management of the Fund was proposed to the legislature, had no other thought than of that one man to undertake the arduous work. Accordingly, when Mr. Hillhouse returned from Washington, after the adjournment of Congress, (which took place that year on the first of May) he was met by a call to this new office. He accepted the office, and his successor in the Senate (Hon. Samuel W. Dana) was appointed at the same session of the legislature.

The condition of the School Fund, when it was committed to

his care, has already been described in part; but the difficulty of his task and the greatness of his success cannot be appreciated without a more complete statement on this point. Such a statement was made, not long after the death of Mr. Hillhouse, by the late Hon. Roger Minott Sherman, in a paper which he drew up with the expectation that it would be presented to the legislature. According to that well-considered statement, in which every word was measured with the accuracy so characteristic of the author, the Fund, in 1810, "had so diminished in value as to excite in the minds of the people a serious apprehension that in a few years it would become comparatively useless, if not utterly extinct. It consisted chiefly of the debts due from the original purchasers of the Western Reserve, and those substituted securities which had been accepted in their stead. A great proportion rested on mere personal security, and in the course of nearly twenty years, by death, insolvency, and the many other changes to which human affairs are subject, its actual value fell far short of its nominal amount. The interest had fallen greatly in arrear, and in many instances nearly equalled the principal. The debtors were dispersed in different States, and over a territory several hundred miles in extent; and such were the embarrassments of very many, and the complicated derangement of their affairs, that little but their ruin and the loss of the claims of the State could be expected from legal coercion." It may be added, to illustrate still further the complicated nature of the work that was to be done, that the thirty-six bonds amounting in the aggregate to \$1,200,000, which were given by the original purchasers of the Reserve, and which were the original investment of the Fund, had become, by the process of payment and reinvestment or by other modes of substitution, nearly five hundred in number; and that, so far as they rested on any other than personal security, they were secured by mortgages on lands distributed through Connecticut, Massachusetts, New York, and the Western Reserve. Such was the trust which the State committed to his fidelity. So difficult, so complicated, so laborious, so delicate in many of its relations, was the work which he undertook for the State, and which employed his time and strength unremittingly through a period of fifteen years. For the first year of his service in that trust, his salary was only one thousand dollars. Afterwards he received fifteen hundred dollars annually, till October, 1818, when the compensation for his services was reduced to one thousand dollars, and so continued till his retirement from office. The State of Connecticut has

never been celebrated for the munificence of its compensation to public officers; but we may doubt whether such services of those of James Hillhouse, in so responsible a trust, were ever rendered, even in Connecticut, for so slight a compensation. If the School Fund, in the condition in which it was when he received the trust, had been a private estate, to be settled, invested and managed for the same period of time, what would have been the compensation of a competent trustee?

In what manner, and with what measure of success, Mr. Hillhouse performed the work which he had undertaken for the State, cannot be better described than by quoting from the document already referred to, the words of the late Judge Sherman. "He accepted the office and held it until his resignation in 1825—a period of fifteen years. In this period, without a single litigated suit, or a dollar paid for counsel, he restored the Fund to safety and order—rendered it productive of large and increasing annual dividends, and left it augmented to seventeen hundred thousand dollars, of well secured and solid capital. During his administration of the School Fund he attended to little else. At all seasons of the year, however inclement, he journeyed over the extensive country through which his cares were dispersed—guarded the public land from depredation,—made himself familiar with every debtor and the state of his property—and by indefatigable labor, and by kind attention and assistance, improved the circumstances of improvident debtors, through the very measures which he pursued for the security of the Fund. Many families, and among them the widows and the orphans of deceased debtors, whose property had become encumbered by mortgages, contracts and speculations, and their hopes broken, and their exertions paralyzed, by the apparently inextricable condition of their affairs, were restored to easy circumstances by his wise disposition of their property and adjustment of their concerns. All his operations were characterized by a benevolent regard to individual interest, and an enthusiastic devotion to the public good."

The relation of debtor and creditor is not favorable to friendship, especially when the debtor is bankrupt or on the verge of bankruptcy, and the creditor is secured by mortgages and obligations which cannot be met without a serious loss. But Mr. Hillhouse made the debtors of the School Fund friends, by making himself their friend. Instead of acting against them as the mere attorney of an adverse party, he was their adviser, and acted with them and for them. The forbearance which he (with powers almost unlimited, save by his own fidelity to his trust) was able to

exercise towards embarrassed but honest debtors,—the legal and financial counsel which he was so well qualified to give, and the aid which, in one way or another, he could so often render when the claims of other creditors were pressed too urgently—were all at the service of his great and kindly heart. Thus while he was far more careful for the safety of the Fund than if it had been his own, he became the benefactor of debtors who could not have extricated themselves from their embarrassments by any efforts of their own, and in whose final insolvency the State would have been a losing creditor. In some remarkable instances, the aid which he gave to embarrassed debtors of the Fund in the settlement of their affairs, was acknowledged with a gratitude which deserves a distinct commemoration.

Among the original purchasers of the Western Reserve, the names of Oliver Phelps and Gideon Granger are conspicuous. Mr. Phelps was the agent of the company by which the purchase was effected ; and of the thirty-six subscriptions to the capital of twelve hundred thousand dollars, one of eighty thousand was the joint subscription of Phelps and Granger, and another of more than one hundred and sixty-eight thousand was in the name of Phelps alone. Of the remaining subscriptions, three, from as many individuals, were of sixty thousand each, and all the others were in various amounts from nearly fifty-eight thousand down to less than seventeen hundred. Twenty-five years later, the expected results of the speculation on the part of Messrs. Phelps and Granger had not been realized, and the aggregate of their original indebtedness to the School Fund, great as it was at the beginning, had greatly increased. Harassed by other creditors, Mr. Phelps, though rich in lands that could not be converted into money, had died while imprisoned for debt. How his embarrassed affairs were settled after his death, how the School Fund was kept unharmed, is best described by Judge Sherman. “ His debt to the School Fund, including a balance due from his son, was nearly *three hundred thousand dollars*. He left an extensive property in new lands, but was deeply in debt at the time of his decease, and had suspended payment, until his arrears of interest to this State, which had been accumulating for ten years, exceeded *fifty-six thousand dollars*. His immense real estate was heavily encumbered with mortgages, and so involved and perplexed with executory contracts and unperfected titles, as seemed to defy any attempt at extrication, and render the claims of this State and other creditors apparently hopeless. But nothing which human effort could

tend to surmount, ever discouraged Mr. Hillhouse. Great obstacles seemed but to inspirit his resolution and give vigor to his exertions. The condition of this estate had baffled the efforts and appalled the heart of its enterprising proprietor, and saddened his last days with embarrassment and despondency. But Mr. Hillhouse went into the western country where it lay, and by long, laborious, and patient exertions night and day, he threaded all its labyrinths, cleared off every embarrassment, paid up in full the debt to the School Fund and the claims of every other creditor, dealt out perfect justice to every party in interest, and restored the widow and orphan children of Mr. Phelps to comfort and affluence. A large ledger is filled with the numerous accounts of sales, payments and settlements which arose in the course of the transactions."

How much he gained for the State by all this extra-official labor performed in the interest of what some would have regarded as the adverse party, let Judge Sherman tell. "So much were the family of Mr. Phelps benefited by the services which he rendered them, beyond what the interests of this State required, that besides paying all the expenses incident to the operation in searching records, foreclosing mortgages, defraying taxes, paying agents, &c., they allowed compound interest on the School Fund debt, which exceeded more than fourteen thousand five hundred dollars, the amount which could have been recovered by law. He placed the demand of the State, which had been deemed almost worthless, on an interest of *seven per cent.*, amply secured by bonds and mortgages."

But the concession of compound interest on the great and long deferred indebtedness of that estate to the Connecticut School Fund, did not satisfy in the heirs the sense of their obligation to their benefactor. "The family of Mr. Phelps had once been in affluence, but had fallen into a state of want and embarrassment, in which they had long been involved. They were now restored to competency by the extraordinary exertions of Mr. Hillhouse in their behalf. Having consented that full and ample justice should be done the State, they gratefully tendered to Mr. Hillhouse the sum of *six thousand dollars* for his own personal use, and begged him to accept it."

Such a testimonial of a grateful sense of obligation on their part, deserves to be remembered for their sake as well as for his. But did he accept their offer? He did. Yet strange as it may seem, and hardly credible in these days of plunder and official venality,

he "declined retaining a donation from those with whom he dealt as a public agent, and paid the six thousand dollars into the treasury of the School Fund." This "delicate sense of honor" was actually extant less than thirty years ago, in a man who had been almost twenty years a member of Congress, and who came directly from Washington to the management of a great pecuniary trust for the public.

At the time of these transactions, Mr. Granger, the associate of Mr. Phelps, was still living, after a long career of public service; and his sense of the value of similar services rendered in the settlement of his indebtedness to the State of Connecticut, was acknowledged by a similar testimonial amounting to nearly twenty-five hundred dollars. At the same time, an allowance of more than fifteen hundred dollars was made to him, for the same reason, in the settlement of another estate largely indebted to the Fund—that of Arnold Potter. These donations were also passed over to the School Fund. The entire amount of what he thus, from a high sense of honor, transferred to the State, was only less than ten thousand dollars (\$9,982,02)—every cent of it fairly his own earning by extra-official labor.

The extent to which his bodily power of activity and endurance was tasked in the great and crowning work of his life, cannot be adequately described within the limits of this brief memoir. At his entrance on the work, he was already passing into the evening of life, when most men, amid the lengthening shadows, think rather of retirement and repose than of new and more arduous enterprises. But no young emigrant making his way into the wilderness to lay there the foundations of future wealth, ever encountered hardships, fatigue and peril, more patiently or cheerfully than he. Unattended, he made long journeys westward, year after year, at all seasons, and with all sorts of hazards, in his sulky, at the heels of the fleet and hardy little mare that was his chief locomotive power for the first six or eight years of his commissionership. Once he came near death by freezing in a winter drive; twice by fever caught in miasmatic regions which his duty required him to explore. But it is safe to say, that whether using the utmost speed of his mare to leave at a safe distance behind him some dogging ruffians who had attempted to rob him, or making his way slowly through the woods with an armed Indian silently and wistfully trotting at his side, or arrested as a criminal at the instigation of a malicious debtor (which was once the case), he never lost for an hour his courage or cheerful good humor. No difficulties of the

way could ever turn him back. The story is told that "after half a day's solitary traveling, he once came to a stream, apparently swollen with rain to an unusual depth. It was necessary to cross it, or be frustrated of his object, besides measuring back a weary way. He undressed himself, strapped his trunk of clothes, papers, &c., on the top of his sulky, and reached the opposite bank with no other inconvenience than an unseasonable bath."\*

What Mr. Hillhouse did for the School Fund in the fifteen years of his administration, was in many respects a different work from that which has devolved on any of his successors. It was for him to extricate the Fund from the embarrassed and imperilled condition in which it was committed to his care. It was for him to arrange and institute a system of administration; the department was to be all but created by his constructive genius. He labored as a pioneer, preparing the way in which others were to follow. His immediate successor, (Hon. Seth P. Beers,) who had been for two years his assistant, entered upon the work when the age of railway traveling had not yet begun, and when the superintendence of the School Fund was still attended with more personal fatigue and hardship than belonged to any other office in the service of the State. But the second Commissioner entered into the labors of the first; and it is no disparagement of his ability or of his success, to say that his work during the twenty-four years of his administration was easy in comparison with the pioneer work which had already been done. In those years of pioneer labor, Mr. Hillhouse had not merely rescued the Fund from depreciation and gradual destruction, and restored it to its original value. By his indefatigable industry and skill in the collection of debts, and by the wisdom of his reinvestments, he had added to it more than half a million of dollars. The policy which he inaugurated was continued by his successor, at the close of whose administration the Fund had received another augmentation of three hundred thousand dollars,—and though the capital has received since then no farther augmentation, the investments have become more productive, till now the annual income is seven per cent. on the entire amount of the Fund. In the fifty-six years since the first dividend was made, the School Fund of Connecticut has divided among the towns and school societies an aggregate amount of income almost four times greater than the capital was at the beginning. The traditions of his administration still give to the office a dignity which lifts it above the ordinary sweep of party revolution, and

\*Dramas, Discourses, &c., by James A. Hillhouse, II., 42-44, 51-54.

guards it against being made, like so many other offices of trust and honor, a reward for party services. If that magnificent endowment yields any benefit to the people of Connecticut to-day—if it diminishes the weight of their public burthens, and distributes to all parts of the State, year by year, for the most important of all public interests, a greater revenue than all that the people pay in taxes for their own State government—if it secures a free school in every neighborhood and within the reach of every family, and leaves hardly a native adult that cannot read and write—it is to him more than to any other man that the debt of public gratitude is due. Others now living, who need not be named, and who will not be forgotten when they shall have been gathered to the dead, have contributed to make the School Fund efficient for the ends to which it was devoted, have taught the people how to use it, have kept it from becoming a disgrace instead of a glory to the State; but the Fund itself is the patrimony which his heroic labor rescued and enlarged, and which, by the success of his wise and faithful stewardship, became an inheritance forever for the State he loved so well.

At the time of Mr. Hillhouse's retirement from the Commissionership in the seventy-first year of his age, the citizens of New Haven had determined on attempting the construction of a canal from their own harbor to the Connecticut River at Northampton. He had taken no leading part either in the consultations and discussions which preceded that determination, or in the application which obtained from the legislature of the State a charter with a full grant of necessary powers to a company organized for the purpose. But his townsmen, from the day in which he led the young men of the town to battle in defense of their homes, had been accustomed to confide implicitly in his ability to accomplish whatever he might be induced to undertake. Through all the fifty years of his participation in their public affairs, there had hardly been a scheme or effort of local improvement in which he had not been a leader. His own judgment, confirmed by that of men whose large experience and acknowledged wisdom in such matters gave authority to their opinions, had been convinced that the proposal was practicable and would open for the commerce of New Haven a most desirable channel of communication with the interior of New England. He yielded to the solicitations of his neighbors and accepted from the company the appointment of Superintendent. His connection with the work, and the unfailing zeal and force with which he entered into it, inspired the people of New

Haven, and of other towns along the route, with much of his own confidence in its success. Six years he sustained it through every discouragement, and then, beginning at last to feel that it was time for him to rest, he resigned the task to younger hands. The construction of that canal was indeed a loss to the Company; but the explanation of the failure is chiefly to be found in causes that were then beyond the ken of human sagacity. Only a few out of the many works of that sort in the United States have ever repaid to the proprietors the expense of construction. Nobody now thinks of making a canal unless it be something like a ship canal across a narrow isthmus between oceans. Five and thirty years ago nobody thought that the time was at hand when railways would be constructed for the convenience of commerce along the shores of navigable waters, when the whole extent of the Union, from Maine to Louisiana, would be overspread with a network of iron tracks, and when even the wildernesses beyond the Mississippi would begin to be made attractive to emigration, by the construction of railways over prairies hardly yet deserted of the Indian and the buffalo.

The connection of Mr. Hillhouse, from youth to old age, with all the progress of local improvement in New Haven, has already been referred to, but deserves a more particular notice. One strong indication of a man's character, and of the force with which he has acted upon his fellow-men, is found, sometimes at least, in the impression which he has left upon the place of his abode, and the extent in which his influence has incorporated itself with the history and the future of the locality. Since Theophilus Eaton and John Davenport, with others from the parish of St. Stephens, Coleman Street, in London, came to Quinnipiack in 1638, and laid out their beautiful town-plat around the open square which they reserved for their public buildings, their market-place, and their graves, no man has ever done so much by personal influence and labor for the beauty of New Haven, as was done by James Hillhouse. He had a part in the subdivision of the original nine squares, by new streets parallel to the old, and a voice in giving both to the old streets and the new the names which they still bear.\* He was the engineer (probably chairman of a committee)

\* A part of the ancient town was incorporated as a city, at a winter session of the legislature in 1784, Mr. H. being then a representative. At the first city election, Feb. 1784 he was chosen into the Common Council. The streets were named by vote of a city meeting, Sept. 17 1784. The new streets, subdividing the old town-plat, appear to have been opened by the owners of the property at their own convenience and discretion, according to some plan spontaneously

who leveled "the lower green," as the lower half of the public square was called, and enclosed the whole square for the first time, cutting off the winding cart path that ran diagonally from the northwestern corner to the southeastern. He brought from a farm of his in Meriden, and set out, partly with his own hands, the elms that now interlock their giant arms over the famous colonnade of Temple street. The once renowned but now half deserted turnpike road from New Haven to Hartford, with its marvelous rectilinearity, was not indeed laid out under his direction (his common sense would have avoided the hills); but after the line had been determined, and the work imperfectly constructed, in his absence, the completion of it was effected by his executive ability.\* He formed and carried into effect the plan of the New Haven Cemetery which has now become so honored with historic graves—his own among the most illustrious. That was the earliest attempt anywhere to provide a public cemetery so arranged that every family might have its own family burial place as an inalienable possession like Abraham's burial place at Hebron. The records of the parish of which he was a member testify to his activity and zeal in promoting the interests of that ecclesiastical society. Five successive pastors of the church in which he made his early vows, learned to value his generous friendship; and the last of them, having pronounced the eulogium at his funeral more than a quarter of a century ago, is permitted now, after so long a time, to commend him to the grateful remembrance of another generation.

One office Mr. Hillhouse retained to the close of his life. For fifty years he was the Treasurer of Yale College. In all his cares and labors for the town, for the State, and for the Union, he never ceased to care affectionately for the venerable institution in which

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agreed upon. Mr. H., as a proprietor, had an agency in the opening of some of those streets; and the writer of this note remembers to have heard him express a regret that he did not insist on carrying every street through in a straight line to the water, *viz*: to the harbor in one direction, and from Mill River to West River in the other.

\* In connection with Mr. Hillhouse's superintendence of the Hartford and New Haven turnpike road, a story is extant, which if it is only a myth, is nevertheless worth repeating in a Journal of Education. The tradition is that while Mr. H. was making the road, he was visited by Gen. Wade Hampton, of South Carolina, one of his associates in the House of Representatives. Of course it was a part of "the Sachem's" hospitality to show his Southern friend the great work that was in progress. The well trained oxen, as well as other things that he saw, were much admired by the stranger. "See," said he to the negro servant who attended him, "how those oxen work! Tom! they know more than you do." "Ah! Mas'r," said the negro in reply, "Dem ar oxen has had a Yankee bringin' up."

he had been educated. A special service which he rendered to that institution at the time of its greatest peril, entitles him to be commemorated among its greatest benefactors. The college, founded by the clergy, yet patronized and aided to some extent, in its early days, by the State, had always been under the government of an exclusively clerical corporation. Very naturally, some degree of jealousy had long existed between the corporation of the college and certain leading influences in the government of the State. After the revolutionary war, the college, which had shared deeply in the general impoverishment of the country, had not begun to share in the return of prosperity and the progress of wealth. Its expectations of aid from the State were met with various demands for such a modification of its charter as would at least divide the control of the institution between the clergy and the legislature or the politicians. In some quarters there were plans on foot for another institution to be governed by the State. At last, in the years 1791-2, these difficulties were coming to a crisis. A legislative committee was appointed to inquire into the affairs of the institution. Mr. Hillhouse came home from his place in Congress to attend the corporation in their conference with that committee, which was supposed to be not favorable to the then existing constitution of the college. His advice to the corporation was that they should meet the committee with all frankness and confidence, and with the fullest exposition not only of their financial affairs and necessities, but of their policy in the management of the college, and of their hopes and wishes for the future. They adopted his advice, and the result was that the committee made a report highly favorable to the fidelity and ability with which the college had been governed by the corporation. Just at that time Hamilton's great measure for the assumption by the Federal government of the debts which the several States had contracted for the common cause in the revolutionary struggle, had been carried through Congress. The State of Connecticut had laid taxes to meet the interest, and, in part, the principal of its revolutionary debt; and large amounts of those taxes, payable in evidences of that debt, were at that moment in the hands of collectors throughout the State. If those amounts were paid over by the collectors to the treasury of the State they would cease to be, what in reality they were, a portion of that revolutionary debt which had been assumed by the Federal government; or, in other words, the State would resume and discharge a portion of the debt which had just been assumed by the Union. Mr. Hillhouse had conceived the

idea of ceding to Yale College all those outstanding taxes which were payable in evidences of the revolutionary debt. It was at his advice that the Corporation of the College had presented the plan to the legislature in a memorial. As an inducement to the grant, he proposed, the value of it not being yet ascertained, that one half of the amount which the college might realize in stock of the United States from the cession of those evidences of the State debt, should be transferred by the corporation to the State, for the use and benefit of the State itself. He well knew that there were strong prejudices to be avoided or subdued, and many difficulties to be overcome. Among those members of the legislature who had no prejudices against the college, and whose intelligence recognized the importance of such an institution to the State, there were some who had no faith whatever that the scheme could succeed. But with his characteristic tact and skill, he addressed himself directly to another class of members, the "substantial farmers," who are even to this day the ruling class in Connecticut. In his plain, honest way, he availed himself of the great confidence which men of that class always had in him. He made them feel that the college was an institution in which the whole State had an interest, and of which the State ought to be proud. He made them see that the State as well as the college had a pecuniary interest in his plan. His perseverance and the strength of his personal influence, at last prevailed; and the measure was carried chiefly by the sympathies and the votes of that very class who had no literary or professional interest in the college. An instinctive confidence in the plain good sense and the public spirit of the people, was characteristic of Mr. Hillhouse, and was one reason why the people always had confidence in him and were ready to follow him.

At the same time a change in the charter of the college was effected partly, at least, by his influence. The legislature was induced to content itself with proposing, and the corporation was persuaded to accept, a modification by which, while the ten clerical "Fellows" who represent the original founders were to retain the right of filling their own vacancies in perpetual succession, the Governor, Lieutenant-Governor, and six senior Assistants (now Senators) of the State government for the time being, were to be also members of the Corporation. By this arrangement many ancient jealousies were removed; and Yale College was not indeed subjected to the State, to be mixed up in all the strifes of politics, but placed in a natural and just connection with the civil government of the commonwealth. In the language of President Stiles,

"Moses and Aaron were united." Never, it is believed, has there been any collision or friction in the working of this arrangement. The only thing to be regretted is that of late years the contemptible principle of "rotation in office," superseding the old principle of "steady habits," has too much deprived the Corporation of the dignity and strength which it ought to receive from its alliance with the State. Senators who have been elevated to office because it was their turn, and who are sure to be displaced next year because they will have had their day of honor, if they happen to be designated by lot as "Senior Senators," can hardly be expected to take much interest in the one meeting of the Corporation which takes place each year.

The memorable "Act for enlarging the powers and increasing the funds of Yale College," saved the institution. It brought to the treasury a net amount of about forty thousand dollars. Out of that sum, administered with exemplary economy, building after building, arranged according to a plan which Mr. Hillhouse and the artist Trumbull had devised, was added to the line of college edifices. Under the administration of President Dwight, which began three years after the passage of that act, the course of studies, the system of government, and the provisions and arrangements for instruction, were gradually but rapidly modified to meet the exigencies of the times. The increased resort of students was more than parallel with the increase of accommodations. In process of time, as the poverty of the institution, in relation to the work it had to do, was made the more conspicuous by its growing usefulness and its spreading renown, friends and benefactors began to appear, whose donations or legacies still kept it from sinking. Its Alumni in all parts of the Union, came to its aid. New departments of instruction in the learned professions were organized, and to some extent endowed; and before Mr. Hillhouse ceased to be treasurer, the college became, in fact, a university though not affecting the grandeur of so lofty a name.

It is not strange then, that when, in his old age, he had relinquished all other offices and public employments, and had retired into the bosom of his family, where he was preparing himself for his last repose, he still retained his official connection with the college. On the 18th of December, 1832, the sudden death of the Assistant Treasurer, Stephen Twining, Esq., threw upon him an unusual and urgent pressure of business, in preparation for the Prudential Committee of the Corporation. On the 29th of December, he attended the meeting of that Committee. About noon,

after a session of several hours, he returned to his house, as he had gone out, hale, erect, cheerful, with no weakness in his step and no dimness in his eye. He sat down with the family, and while conversing with them, began to open the letters which had come to hand that morning. As he was reading a letter on college business, he rose from his chair, and without saying anything, went into his bedroom. Only a moment had passed when his son, having occasion to speak to him, followed him. But the old man was asleep. He had lain down quietly upon his bed, and a gentle touch from some kind angel had released him from his labors.

Those who have a personal remembrance of Mr. Hillhouse are growing few. But of the vividness with which his form and looks and character rise before their minds at the mention of his name, after the lapse of so many years since he was carried to his grave, it is difficult to give a just impression. This brief narrative of his long life, and of his many public services, cannot convey to those who never saw him, any adequate notion of what he was; still less can the writer hope to set before them by any analysis, or to portray by any art of word-painting, the remarkable and memorable peculiarities of the man.

Physically, as well as in his characteristic moral and mental constitution, he was cast in a heroic mold. Without any extraordinary personal beauty—without any statuesque symmetry or finish of figure and features—his face and person were such that no stranger could look upon him for a moment without looking again and saying to himself, ‘That is no ordinary man.’ Tall, long-limbed, with high cheek-bones, swarthy, lithe in motion, lightness in his step, and strength and freedom in his stride, he seemed a little like some Indian Chief of poetry or romance—the Oatalissi of Campbell’s Gertrude of Wyoming—the Massasoit or King Philip of our early history as fancy pictures them—so much so that with a kind of affectionate respect he was sometimes called “the Sachem.”

It has already been said that his genius and the constitutional elements of his character were such as might have achieved distinction in a military career. The blood of the old Pequot-queller, John Mason, and of the heroic defenders in the siege of Derry was mingled in his veins; and it is safe to say that nobody ever saw him frightened or disconcerted. But mere courage qualifies no man to be a leader. He had that sort of natural leadership among his equals; that special faculty of influence over men, that power of winning their full confidence and of making them willing to follow where

he led, which is given only in nature's patent of nobility. He had an intuitive knowledge of men, whoever they were with whom he had to do:—without any suspiciousness in his nature, or any slowness in yielding his confidence, he was rarely deceived in those whom he trusted. His prompt discernment of exigencies, and the exhaustless fertility of his resources, gave him an instantaneous quickness of adaptation to whatever emergency. It was by this military combination of qualities in his mental constitution and development, that he accomplished so much for the town he lived in, for his native State, and for his country.

Had he been a selfish man—had his nature lacked the glow and charm of living sympathies—the development and organization of his entire character would have differed from what it was. His spontaneous and genial affectionateness, not only in his family but in every relation—his frank heartiness in all intercourse with friends and neighbors—his ready sensibility to whatsoever things are true or honest, or just, or pure, or lovely or of good report—in a word, the generosity of his nature, even more than the undoubted superiority of his intellectual powers, commanded the full confidence of all who had to do with him and of all who knew him. What was admired and honored in James Hillhouse was, not the man's extraordinary ability—not his eloquence or his wit—not the depth and reach of his learning, or the acuteness and power of his logic,—but the man himself. It was his integrity, in the original and largest sense of that word—the *wholeness* of his manly nature with all manly affections and sympathies as well as manly powers, that commanded homage. In his earlier years, before he had given himself up entirely to public affairs, he was rising to eminence as an advocate, arguing cases with distinguished success before the highest tribunals; and sometimes when Hamilton and Burr, with the splendor and authority of the one and the unscrupulous genius and cunning of the other, were both arrayed against him. He could not undertake a cause without first gaining in his own mind an assurance of its justice; and when he came to the argument, with his most unaffected honesty and earnestness in every word and look, that assurance of his being in the right communicated itself to those who heard him. The nature of the confidence which his fellow-citizens had in him may be illustrated by a story that is still repeated in New Haven, and is not without a moral. Long ago, when parties had hardly been organized in Connecticut, it happened that a leading man whose name is not essential to the point of the story, but of whom we may say that

he had aspirations as well as opinions, went out on some occasion from New Haven into one of the neighboring towns to make a political speech. The school-house, in which the orator held forth, was filled with plain but thinking farmers, who gave a silent attention while he tried to show them with plausible arguments and at great length, how much they were wronged by the then existing administration of their public affairs. When he had finished, one of his hearers rose and gave him this conclusive reply: "Mr. —, you are a *larned* man, and you know a great deal more than we do; but we know one thing, and that is that Jemmy Hillhouse is an honester man than you be."

The combination of simplicity and dignity in Mr. Hillhouse was altogether unique. The simplicity and the dignity being alike unaffected, were not merely combined; they were one and the same thing. They were the perfectly unconscious manifestation of a strong and self-reliant mind, rich with various knowledge and the shrewdest common sense, controled by the highest moral principles, and alive with every manly affection and every honorable sensibility. With what statesmanlike propriety and force of expression, and with what command of classical English, he could discuss high questions of government, is sufficiently shown on some of the foregoing pages by extracts from the Congressional debates; yet his speaking on all occasions was characterised by that ancient New England pronunciation which was simply the pure and true pronunciation of our mother tongue as it was before the reign of Charles II., but which is now so rarely heard from educated persons or in connection with refinement of thought and manners. His ordinary colloquial discourse, often humorous, often full of the most interesting personal reminiscences, always instructive, was enriched with quaint New England idioms and homely Connecticut proverbs. In all this there was no lack of dignity, for his way of speaking was simply antique, not vulgar. His pronunciation was such as Milton used, and Hampden; and even those Doric colloquialisms of his were, for the most part, such as Brewster and Winthrop, Haynes and Eaton, might have brought with them from England. Yet it would be an injustice to his memory if the reader should think of him as using purposely the antique style in anything, or imagine his old age as decorated with the wig and the shoe buckles which old men wore when he was young. As he did not affect the antique in speech, he was equally above all affectation of the antique in costume. He was not per-

forming a part in a play, and had therefore no occasion to dress in character. Doubtless he wore knee-buckles and powdered hair when he was young; but in his venerable age, when buckles and powder had gone out of fashion, they could have added nothing to his dignity. Those little archaisms of dress are sometimes graceful in an old man, and dignified; but they would hardly have befitted him. He was as dignified with his coat off and with a scythe in his hands, leading the mowers across the field, and cutting the widest swarth of all, as when he stood conspicuous and honored in the Senate, or on a Sabbath morning walked to the house of prayer with patriarchal grace, beneath the stately elms which his own hands had planted. Everybody in his presence felt his dignity; but the dignity was in the man, not in the manner. His dignity was not put on, and could not be put off. It was nothing else than his transparent simplicity, continually revealing an unaffected nobleness of soul.

None will suppose that in a public career so long as his, and so full of the most various activity, and with so much independence and resoluteness of mind, he encountered no unfriendly opposition and no reproach from "evil tongues." With all the traits that made him popular, with all his tact in guiding and influencing men, and with all the kindness of his disposition, he was still just the man to encounter, now and then, some unexpected and violent hostility. Nor was he by nature "slow to wrath." He was so constituted that he had a quick and impetuous sensibility to injury and especially to insult. Yet his religious principles and habits suffered him to harbor no resentment. As a Christian man he had learned to restrain his vindictive feelings, to bear injury with patience, and to repel insult and make it contemptible by the dignity and magnanimity of meekness.

This last mentioned feature in his character might be referred in part to his habitual regard for other interests than his own. As he was not living for himself it was the easier for him to be magnanimous under any personal wrong. Not only so, but the largeness of the plan on which he lived, helped to lift him above the depression of whatever personal disappointments and sorrows were in his lot, and to illuminate the entire sphere of his activity and his enjoyments. In words that were spoken at his burial, "He aimed at the public good. He lived for his country. Thus his activity was activity freed from the corrosion of selfishness, and in all his toil there was a consciousness of noble purposes which

lightened every labor, and even took away from disappointment the power to vex him. Thus his soul was expanded into more colossal dimensions, his being, as it were, spread out and extended. There was more of existence in a day of his life than there would be in centuries of some men's living. His influence, his voluntary influence to do good, being thus extended, he lived with a sort of ubiquity, wherever that influence was felt,—happy in the consciousness of living to good purpose. And for all this he was none the less happy—he was far more happy—in his family, and in all the relations of private and personal friendship. The way to enjoy home with the highest zest, the way to have the fireside bright with the most quiet, heartfelt happiness, is to be active even to weariness, and to come home for refreshment and repose. The way to give new vigor and delight to all the pulses of domestic love and private friendship, is to enlarge the soul and prove it kindred to higher orders of existence by the culture of large and generous affections."



















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